

DELPHI

December 22, 2005

EPA Region 5 Records Ctr.



368662

Via Federal Express

Mr. Fred Bartman, Enforcement Specialist
U.S. Environmental Protection Agency
Remedial Enforcement Support Section
77 West Jackson Boulevard (SR-6J)
Chicago, Illinois 60604-3590

SUBJECT: South Dayton Dump and Landfill Site
Moraine, Ohio

Dear Mr. Bartman:

Enclosed is Delphi's Supplemental Response to the U.S. EPA 104(e) Information Request dated 3/29/02.

As referenced in the 12/7/05 letter sent to you by Mark Hester of Delphi in response to EPA's 10/5/05 Special Notice Letter, Delphi filed for bankruptcy protection on 10/8/05, and did not exist as a legal entity at any time during the period which the South Dayton Dump operated.

Sincerely,

A handwritten signature in black ink that reads "Meg Briarton". The signature is fluid and cursive, with the first name "Meg" and last name "Briarton" clearly distinguishable.

Meg Briarton
Legal Assistant
Environmental & Energy Section
248.813.1473 (direct)
248.813.1477 (fax)
meg.i.briarton@delphi.com

enclosure

cc Mark A. Hester, Esq.

Delphi Legal Staff
World Headquarters and Customer Center
5825 Delphi Drive, M/C 480-410-166, Troy, Michigan 48098-2815 USA

**DELPHI AUTOMOTIVE SYSTEMS, LLC's SUPPLEMENTAL RESPONSE TO
U.S. ENVIRONMENTAL PROTECTION AGENCY REGION 5
104(e) REQUEST FOR INFORMATION
SOUTH DAYTON DUMP, MORaine, OHIO**

Without waiving or in any way limiting any objections it has or may have, Delphi Automotive Systems, LLC ("Delphi") makes the following supplemental response to the Request for Information dated March 29, 2002 and received by this office on April 2, 2002. This supplemental response is based upon the results of a reasonable search for information and documents relating to the years 1941-1996, the time period during which the landfill operated.

1. Identify all persons consulted in the preparation of the answers to these questions.

Robert B. Childers	Retired; position(s) included: former Driver Worked primarily at Needmore Road; also Wisconsin Blvd.
Thomas N. Kanorr	Retired; position(s) included: Janitor/Foreman; Salvage Foreman; Dispatch/Maintenance; and Production Engineering Worked primarily at Needmore Road; also Wisconsin Blvd.
Larry Massie	Retired; position(s) included: Janitor; Supervisor – Plant Services; Salvage; Maintenance Dispatcher; and Maintenance Supervisor Worked primarily at Wisconsin Blvd., also Needmore Road
John Spicer	Retired; position(s) included: Salvage; Garage/Maintenance; and Driver Worked primarily at Needmore Road; also Wisconsin Blvd.
Jack Wombold	Retired; position(s) included: Production Worker; Production Foreman; Maintenance Foreman; and Salvage Foreman Worked primarily at Needmore Road; also Wisconsin Blvd.

These individuals are in addition to those persons identified in Delphi's 5/31/02 response to the 3/29/02 104(e) Information Request.

2. Identify all documents consulted, examined, or referred to in the preparation of the answers to these questions and provide copies of all such documents.

See manifests produced by Delphi in response to the 3/29/02 104(e) Information Request.

3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question or who may be able to provide additional responsive documents, identify such persons.

Delphi has made numerous attempts to contact Jim Reardon by telephone, but has been unsuccessful to date.

During a telephone interview with Robert Childers, he mentioned former (predecessor) drivers Al Underwood, Andy and Willie Felton. Delphi is uncertain of Mr. Underwood's whereabouts, and has been unsuccessful in attempts to locate Mr. Willie Felton. Andy Felton is believed to be deceased.

4. List the EPA Identification Numbers of the Respondent.

This information was provided in Delphi's 5/31/02 response to the 3/29/02 104(e) Information Request.

5. Identify the acts or omissions of any person, other than your employees, contractors, or agents, that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants and damages resulting there from at the South Dayton Dump Site.

Delphi has no knowledge or information responsive to this request.

6. Identify all persons including respondent's employees, who have knowledge or information about the generation, use, treatment, storage, disposal, or other handling of material at or transportation of materials to the Site.

Those individuals listed in Delphi's 5/31/02 response, as well as Robert B. Childers, Thomas R. Kanorr, Larry Massie, John Spicer, and Jack Wombold.

Former salvage supervisor Jim Reardon, and retired drivers Al Underwood and Willie Felton may have information responsive to this request, however, Delphi has been unsuccessful in attempts to locate or contact these individuals.

7. Set forth the dates during which the Respondent engaged in any of the following activities:

- a) generation of hazardous materials which were sent to the South Dayton Dump Site;**
- b) transportation of any material to the South Dayton Dump Site.**

See manifests produced by Delphi in response to the 3/29/02 104(e) Information Request.

Additionally, Delphi believes that some or all of the individuals identified in this supplemental response would indicate that at least some of the Delphi facilities generated and/or transported materials to the South Dayton Dump at some time during the 1960s and 1970s. However, much of this material appears to have been non-hazardous in character (wood, fill concrete, fly ash, etc.). Some drummed materials (toxicity unknown) appear to have been sent to the site on occasion.

8. Identify all persons, including yourself, who may have arranged for disposal or treatment, or arranged for transportation for disposal or treatment of materials, including but not limited to, hazardous substances, at the South Dayton Dump Site. In addition, identify the following:

- a) The persons with whom you or such other persons made such arrangements;**
- b) Every date on which such arrangements took place;**

See manifests produced by Delphi in response to the 3/29/02 104(e) Information Request.

- c) For each transaction, the nature of the material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid), and the process for which the substance was used or the process which generated the substance;**

See manifests produced by Delphi in response to the 3/29/02 104(e) Information Request.

- d) The owner of the materials or hazardous substances so accepted or transported;**

- e) The quantity of the materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;**

See manifests produced by Delphi in response to the 3/29/02 104(e) Information Request.

- f) All tests, analyses, and analytical results concerning the materials;**

Delphi has no new or additional information pertaining to tests, analyses, or analytical results other than the manifests previously provided to Delphi by U.S. EPA.

- g) The person(s) who selected the South Dayton Dump Site as the place to which the materials or hazardous substances were to be transported;**

According to Tom Kanorr, Larry Massie, and Jack Wombold, the purchasing department negotiated all disposal contracts and directed salvage and maintenance departments where to dispose of waste materials.

To date, Delphi has not identified the names of any individuals who worked in the purchasing department during the relevant period.

- h) The amount paid in connection with each transaction, the method of payment, and the identity of the person from whom payment was received;**

Delphi has no new information or records responsive to this request.

- i) Where the person identified in (g), above, intended to have such hazardous substances or materials transported and all evidence of this intent;**

- j) Whether the materials or hazardous substances involved in each transaction were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;**

Delphi has no information that indicates its materials were transshipped or stored at an intermediate site prior to disposal.

- k) What was actually done to the materials or hazardous substances once they were brought to the South Dayton Dump Site;**

Delphi has no information as to how waste materials were treated or disposed of at the Site.

- l) The final disposition of each of the materials or hazardous substances involved in such transactions;**

Delphi has no information as to how waste materials were ultimately treated or disposed of at the Site.

- m) The measures taken by you to determine the actual methods, means, and site of treatment or disposal of the material and hazardous substance involved in each transaction.**

Delphi has conducted telephone interviews with former employees identified in the response to Question 1.

Delphi has located no new or supplemental documents since the submittal of its 5/31/02 response.

- n) The type and number of containers in which the materials or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the South Dayton Dump site, and all markings on such containers;**

Delphi has no documents or information responsive to this request.

- o) The price paid for (i) transport, (ii) disposal, or (iii) both of each material and hazardous substance.**

Delphi has no documents or information responsive to this request.

- p) All documents containing information responsive to (a-o) above, or in lieu of identification of all relevant documents, provide copies of all such documents.**

See manifests produced by Delphi in response to the 3/29/02 104(e) Information Request.

- q) All persons with knowledge, information, documents responsive to (a-p) above.**

See response to Question 1.

See names of individuals identified and manifests produced by Delphi in response to the 3/29/02 104(e) Information Request.

- 9. Identify all liability insurance policies held by Respondent from 1941 to the present. In identifying such policies, state the name and address of each insurer and of the insured, the amount of coverage under each policy, the commencement and expiration dates for each policy, whether or not the policy contains a "pollution exclusion" clause, and whether the policy covers or excludes sudden, nonsudden, or both types of accidents. In lieu of providing this information, you may submit complete copies of all relevant insurance policies.**

See Delphi's 5/31/02 response to the 3/29/02 104(e) Information Request.

- 10. Provide copies of all income tax returns, including all supporting schedules, sent to the Federal Internal Revenue Service in the last five years.**

See Delphi's 5/31/02 response to the 3/29/02 104(e) Information Request.

- 11. If Respondent is a Corporation, respond to the following requests:**

- a) Provide a copy of the Articles of Incorporation and By-Laws of the Respondent.**
- b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission.**
- c) Identify all of Respondent's current assets and liabilities and the person(s) who currently own or is responsible for such assets and liabilities.**
- d) Identify the Parent Corporation and all Subsidiaries of the Respondent.**

See Delphi's 5/31/02 response to the 3/29/02 104(e) Information Request.

12. If Respondent is a Partnership, respond to the following request:

- a) Provide copies of the Partnership Agreement;**
- b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission;**
- c) Identify all of Respondent's current assets and liabilities and the person(s) who currently own or is responsible for such assets and liabilities.**
- d) Identify all subsidiaries of the Respondent.**

Not Applicable.

13. If Respondent is a Trust, respond to the following requests:

- a) Provide all relevant agreements and documents to support this claim.**
- b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission.**
- c) Identify all of Respondent's current assets and liabilities and the person(s) who currently own or is responsible for such assets and liabilities.**

Not Applicable.

CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Submitted by:

Ruth M Van Leuven

12/21/2005

Ruth M. Van Leuven, Legal Assistant
Delphi Automotive Systems, LLC

Date

Subscribed and sworn to before me this

21 day of Dec., 2005

Demise J. LaPlante

DEMISE J. LAPLANTE
Notary Public, Oakland County, MI
My Commission Expires Dec. 26, 2007